
CALL TO ORDER & ATTENDANCE

Chair Pete Woll called the July 25, 2022, Business meeting to order at 7:00 P.M. in the conference room.

Board members present: Pete Woll, Chair; John Ellis, Vice Chair; Donna Pridmore, Secretary/Treasurer; Roger Marsonette, Supervisor; Verdell Jackson, Supervisor being a quorum of the Board.

Board members absent: Scott Rumsey, Supervisor. Absence is excused.

Also, in attendance were Samantha Tappenbeck, Jessie Walthers, Ginger Kauffman, FCD Staff; Kenny Breidinger, FWP; Andy Ferris, TD&H Engineering; Jason Catron, Capital Investments.

CONSENT AGENDA

Consent Agenda Item 1: Signature Authority

- Authorization for Samantha Tappenbeck to sign on behalf of Supervisors attending the meeting virtually.

Consent Agenda Item 2: Minutes

- Staff is working on June and July Meeting Minutes

Consent Agenda Item 3: Financial

Check Detail dated 7/19/2022 – 7/20/2022

1. VISA – Pete Woll \$2020.00
2. VISA – Samantha Tappenbeck \$2,480.07
3. Bug Hunters Pest Control \$175.00
4. Charter Communications \$162.95
5. CHS \$125.00
6. Fresh Cuts Lawn Care LLC \$75.00
7. Safeguard Business Systems \$262.10
8. Sheri Hazlett, RPR \$822.75
9. Susan Hulslander, CPA \$605.00
10. USGS \$2,880.00
11. Whitefish Lake Institute \$10,000.00

Consent Agenda Item 4: Correspondence

1. Conservation District Bureau Newsletter “Conservation Matters”
2. Conservation Grant landowner article “The Black Sheep Cup Comes Back to Montana”

John Ellis motioned “to approve the consent agenda.” Roger Marsonette seconded. Motion carried unanimously.

PUBLIC COMMENT

No one was present to comment on items not listed on the agenda.

310's

Jag Capital Invest. LLC, FL-2022-035, Autumn Creek, widen road: Verdell Jackson stated the project is to widen the road, remove the culvert and replace it with a larger culvert. An onsite inspection was held 6/22/2022. Verdell read the following modifications listed in the Team Member Report 1) The applicant will confirm that the culvert is long enough to meet Adopted Rules. 2) Silt fence will be maintained and removed when vegetation is re-established. 3) The applicant can remove the fence at the stream crossing.

Kenny Breidinger stated an amendment was submitted 7/13/2022; it was a change from the original application. Instead of using the existing pipe, they changed to a bottomless arch pipe, which is smaller in diameter. Kenny described the area as being at the road crossing where they want to make the road wider, cross the stream with utilities and a sewer line, and put in a sidewalk. At the downstream end of the culvert, instead of sloping it, the applicant proposed a vertical retaining wall. He noted that is different than something we normally approve. The other part of the application has not changed which was for an outfall from the parking area downstream from the crossing. Runoff water from the parking lot will be treated and returned towards the creek where there are energy dissipators. There won't be high flows as there is not a lot of head there, not much vertical change, not a very steep bank. Verdell asked if the retaining wall is in the amendment submitted 7/13/2022. Kenny stated I think it is in there; it is hard to tell from the blueprints, and they did not show the depth of the footers.

Andy Ferris stated he had been out last week, but that he had emailed additional information to the district this morning. He explained the plan is to do a standard gravel foundation bed and not pour concrete. The plan is to lay down a bed of ¾-inch gravel to serve as the foundation, making sure it is compacted so there is not a lot of settling in the road.

Samantha Tappenbeck stated we received an amendment submitted on 7/13/2022, which was the reason it was tabled. She asked Andy if the additional information that was sent today included what he just described. Andy replied yes.

Andy stated he sent a standard detail for haunching and a backfill open arch pipe with compaction ratings. He also noted they have gone to that kind of retaining wall because they are concurrently doing a 404-wetland fill permit and trying to minimize the amount of fill that they are putting into the wetland, lessen the potential for contamination and import, and leave as much of the existing wetland and streambed as native as possible. The pipe will penetrate the retaining wall and stick out from the retaining wall by an inch or two and the stream will continue after that.

Pete Woll asked Jason Catron if he had any comments. Jason stated he believes the retaining wall does reduce the impact on the streambed itself. It holds what we are doing way back by quite a few feet and leaves the natural vegetation.

The email submitted 7/25/22 was found and shared with FWP and on the screen. Andy noted that it wasn't necessarily a change, it was just additional information that Kenny had requested during the onsite. He stated that the drawing shows a standard detail for a bottomed arch pipe, but the bottomless arch pipe is the same concept.

Kenny stated the bottomless arch pipes are all much larger than this one and have concrete footers. Andy stated the idea here is it is less of a stream running underneath a road and more of a conveyance channel, like a standard pipe in a storm system. If you have a full arch pipe that is acting as a bridge, then you need footers to help prevent erosion. Whereas this is acting more as a conveyance, and the arch pipe minimizes the height across there and allows for proper clearance for the sewer and water.

Roger asked how much fill is over the top of the pipe? Samantha scrolled down to the spec descriptions in the additional information which read: *6. Initial backfill above pipe arch may include road base material (and rigid pavement if applicable). The minimum cover height is defined in table (12.6.6.3-1).*

The table was not provided. Andy stated the cover on this pipe is about 3 ¼-feet from the top of the pipe to the road and is sufficient. He continued, there is plenty of depth above the pipe for the road surface, and the pipe itself is shorter than what is there now. They had to get a sewer line to come over top of it, which is why they are going for the arch pipe.

Roger asked if the flanges for the pipe that would normally sit on the concrete footings are going to sit on the compacted gravel. Andy affirmed. Roger voiced concerns about settling of the pipe into the gravel backfill and stated you would still think a footing would need to be there to spread out the weight. Kenny stated that settling of the pipe is also his concern because there is not firm supportable ground underneath this pipe. Andy stated the drawing shows a corrugated pipe but the proposal is to use a reinforced concrete arch pipe (RCP), but he couldn't find a detail of a bottomless RCP. The RCP base is going to be 2 ½ -3 ½ inches wide. In the industry it is standard practice to place bottomless arch pipes on compacted gravel, and as long as your gravel is compacted to the ratings that are specified here and by the manufacturer, then you don't expect to see settling.

Pete Woll recommended tabling the application until the 310-meeting and receipt of a good drawing that specifies everything from the applicant.

Andy asked if it would be preferable to adjust the proposal to use a full system arch instead of a bottomless arch. Kenny asked what size the pipe would that be if changed to a more traditional CMP squash pipe. Andy replied that it would still be the standard 30-inch arch pipe. The arch pipe just basically cuts off the flat part of the bottom. They are proposing a bottomless arch pipe because it's better for streambed preservation. The model and the calculations they have run was with a standard CMP arch pipe (as shown in drawing) because their software cannot

run models for bottomless arch pipes. The assumption is that they are going to receive more storage and increased safety with a bottomless arch pipe.

John Ellis asked Kenny how he felt about approving the modification as presented with the drawing of the squash pipe submitted 7/25/2022. Kenny replied it's certainly something he is more familiar with and that it is probably sized appropriately. Kenny continued that there is still the issue of the retaining wall on the downstream end, but that he understands where they are coming from, and from an environmental standpoint he doesn't see a lot of impact from it. Kenny further stated that this is not the way we traditionally do it, but he would be ok with that proposal, or would be ok with waiting and looking into the bottomless pipe a little bit more.

Mr. Catron stated that he is more comfortable with the stabilization of the roadbed as is proposed in the drawing on the screen [drawing submitted 7/25/22]. He asked if, in lieu of the concrete retaining wall, they could use a gabion basket type retaining wall instead, which is more natural. Kenny replied that the Adopted Rules specifically prohibit gabions. Roger asked if the retaining wall goes across the end of the culvert? Mr. Catron replied yes. Roger stated he is ok with the detail as presented on the screen [drawing submitted 7/25/22], and that he is not in favor of an arched pipe without any kind of a concrete footing.

John Ellis motioned "to approve application FL-2022-035 with modifications presented on 7/25/2022." Verdell Jackson seconded.

Pete asked if there was any other discussion. Kenny stated that the Adopted Rules, state a one-inch standard for embedding the pipe, but suggested that embedding by two or three inches into the streambed would be better to facilitate aquatic species moving through.

John Ellis amended his motion "to add as a condition that the pipe be embedded two to three inches below the streambed." Verdell Jackson seconded.

Kenny also requested the modifications listed in the Team Member Report be included. Verdell Jackson read the following modifications:

- 1) Applicant will confirm that culvert is long enough to meet the Adopted Rules.
- 2) Silt fence will be maintained & removed when vegetation is re-established.
- 3) The applicant can remove the fence at the stream crossing.

Pete stated that those are added into the motion by the Team Member Report and asked if there was any other discussion.

Discussion held regarding the information submitted today and adding the modification that the pipe be embedded two to three inches below the streambed. Roger Marsonette and John Ellis noted that the drawing and the words in the application don't match. The words are for a bottomless pipe, and the drawing is for a squash pipe. Pete wondered about tabling the application and have the applicant submit a drawing with all the correct information on it; keeping in mind that the Board will probably want to approve a squash pipe rather than the open bottom.

Andy stated that the documents submitted to this point have not necessarily called it a "bottomless" arch pipe, just an arch pipe. Typically, the specific type is left up to the contractor.

In the drawing, they are showing a standard arch pipe. It's a squash pipe, whatever you want to call it, but it is an arch pipe. Andy stated that he has never specified that it's going to be a bottomless arch pipe in any submitted materials, it was just part of the conversation they'd had. In the application and the memorandum dated 7/13/2022, he used the proposed 30-inch arch pipe. Samantha noted that the document received on 7/13/2022 is available for review but is 200-pages.

John Ellis stated he would like to withdraw his motion.

Mr. Catron stated that the intent was always to install the squash pipe as shown in the drawings submitted on 7/13/22 and 7/25/22. He noted that he believes the bottomless arch pipe was just a discussion and was not submitted as an amendment. He further noted that they had talked about maybe diversifying and getting a bottomless arch pipe, and that is what Andy was trying to present today verbally, not submitted in writing. He stated that he believes that the email submitted is just a standard arch pipe, not a bottomless arch pipe, and everything should be ok as far as the verbiage. Donna Pridmore asked if this is the same application that was submitted to the USACE for the 404-permit. Mr. Catron replied yes. Pete requested affirmation that each agency will have the same drawings. Mr. Catron confirmed and added he would personally make sure of that.

John stated that it seems there is confusion between the words and the drawings submitted. Discussion held regarding embedding culvert 2-3 inches into the streambed. Mr. Catron verified the diagram on the screen is what they would install and noted that the additional modification to embed the pipe 2-3 inches is how he would build it. Verdell added the following modification into the Team Member Report: 4) lower (embed) the bottom of the pipe 2-3 inches below the streambed.

Pete Woll clarified the motion; John Ellis motioned "to approve the application with modifications presented with the drawing submitted on 7/25/2022, and per the Team Member Report." Verdell Jackson seconded. Motion carried unanimously.

Andy asked that staff call when the permit is ready. Mr. Catron requested a copy of the meeting minutes.

NEW BUSINESS

Supervisor Pay Rate: A summary of Supervisor hours in FY 2021/2022 and budget projections under hourly rate scenarios were provided in the meeting packet, and Supervisor rate increases were discussed. John Ellis noted that Supervisor hourly rate has remained the same for many years but thought a \$10 increase was too much. Samantha Tappenbeck noted that \$33,500 has been budgeted for supervisor payroll for FY 2022/2023 which would cover a smaller increase.

John Ellis motioned "to raise supervisor pay rate from \$15/hour to \$20/hour beginning with the next payroll period #17." Donna Pridmore seconded. Motion carried unanimously.

Supervisor Resignation: Pete Woll explained at the last meeting the acceptance of Lech Naumovich's resignation letter was tabled to see if he would reconsider; however, Lech has decided not to remain on the Board. John Ellis motioned "to accept Lech Naumovich's letter of

resignation dated 6/17/2022 as the Urban Supervisor for the City of Whitefish.” Verdell Jackson seconded. Motion carried unanimously.

John Ellis motioned “to remove Lech Naumovich as a signer on all financial accounts of the Flathead Conservation District (FCD).” Donna Pridmore seconded. Motion carried unanimously.

Letters of Appointment: Donna Pridmore motioned “to send a letter to the City of Whitefish to request another appointment for the Urban Supervisor position to the Board.” John Ellis seconded. Motion carried unanimously.

Donna Pridmore motioned “to send a letter to Flathead Basin Commission removing Lech Naumovich as the district representative and informing them that we will appoint a representative as soon as possible.” Roger Marsonette seconded. Motion carried unanimously.

310 Admin Grant #CDA-22-0016 final report: A copy of the final report for 310-Admin Grant #CDA-22-0016 was included in the meeting packet. Ginger Kauffman reported the grant has been completed and the final report is ready to submit to DNRC. John Ellis motioned “to approve the final report for 310- Admin Gr #CDA-22-0016.” Donna Pridmore seconded. Motion carried unanimously.

Flathead Waters Cleanup funding request: Samantha Tappenbeck explained the Flathead Waters Cleanup event will be held on 8/13/2022 and requested funding in the amount of \$200 to purchase heavy duty disposable gloves and bags for event participants. She noted that participants utilized those types of resources at last year’s event. Funds are available in this FY budget, and the cost would be applied to education supplies.

John Ellis motioned “to support the Flathead Waters Clean-up event in the amount of \$200 for gloves and trash bags.” Verdell Jackson seconded. Motion carried unanimously.

End of Month Budget Report – May 2022: Donna Pridmore presented the May End of Month Report. She explained that the bank was in the process of changing its software and accounting set up, so the district received three statements for each account. All accounts were successfully reconciled.

Donna Pridmore motioned “to accept the May End of Month Report.” Verdell Jackson seconded. Motion carried unanimously.

REPORTS

Flathead CD Staff: See attached.

Natural Resources & Conservation Service (NRCS): See attached. Samantha Tappenbeck explained that the Land Stewardship Series on soil health and including a pasture walk was cancelled as only one person signed up.

DNRC Conservation Districts Bureau: See attached.

Flathead County Planning Board (FCPB): No report.

Whitefish City Planning Board (WCPB): No report.

John Ellis provided photos and a brief overview of the remaining part of the Whitefish trail system from the 93 North bridge to JP Road that has/has not been built or paved.

Haskill Basin Watershed Council (HBWC): Samantha Tappenbeck reported the last meeting was June 1st.

Flathead Basin Commission (FBC): Samantha Tappenbeck reported FBC is focusing on the septic leachate study which includes Flathead and Lake counties. A septic risk map for Flathead County has been developed. FBC wants to reach out to decision makers and regulators with information from the study. A major component of the study is a DNA Tracer Analysis in Whitefish Lake which is in process with sampling ongoing this summer. A new education and outreach campaign and accompanying website has also been developed and in the early phases of roll out for use by stakeholders statewide. The next FBC meeting is this fall.

Flathead River Commission (FRC): Donna Pridmore reported discussion included the Flathead River Erosion Study and recent flooding. Mark Siderius will arrange a meeting with the dams, Senators, USACE, and other stakeholders and water managers in September or October to discuss flooding issues. The next FRC meeting is scheduled for August 3rd.

It was noted that NRCS programs are available to affected producers; and that Flathead County was included in the disaster designation which could provide \$250,000 to each applicant with damage to irrigation systems.

Samantha Tappenbeck provided an update on the Flathead River Erosion study bill (SJ28). She provided a presentation had been made to the legislative Water Policy Interim Committee (WPIC) and she requested a special meeting with them in October to hear results of the Flathead River Erosion Study. WPIC declined the special meeting as their last meeting is September 20-21. WPIC asked why the issue was brought to the committee, as they thought it should be handled locally. Samantha stated WPIC will probably not put forward any recommendation to the Fish & Wildlife Commission or draft a bill to continue study on the issue. She added currently the focus is on getting data, but we need to be clear about what we want to do and come up with the best course of action. Pete Woll recommended Samantha contact Senator Mark Blasdel (SD4) to provide an update on the status of SJ28.

MATTERS OF THE BOARD/STAFF

Furniture & Equipment Purchase Request: An itemized cost breakdown for new cubicle partitions was provided in the meeting packet. Samantha Tappenbeck explained the partitions would strategically be placed to help buffer and minimize disruptions to staff working in the open area of the office. Staff researched alternative companies and could not find others that included windows in panels. She noted that the district has budgeted \$5000 for furniture and equipment for FY 2022/2023.

John Ellis motioned "to approve purchase of 6 panels and posts in the amount of \$2609.40." Donna Pridmore seconded. Motion carried unanimously.

2022 NW MT Fair: Fair dates August 17-21, 2022. Samantha Tappenbeck explained this year the district will have a booth in the Search & Rescue building. The Flathead National Forest and Glacier National Park will not participate this year. The theme is "Resource Stewardship and Responsible River Recreation". In addition to general information about the district's mission, programs, permits, and projects, we will highlight the study of erosion on the Flathead River, the Flathead Waters Cleanup event, and have a display to engage visitors in how they use the Flathead watershed. Samantha noted that a sheet is available for Supervisors to sign up to help in the booth.

The next 310-meeting is scheduled for Monday, August 8, 2022, 7:00 P.M. via ZOOM.

Adjournment: Donna Pridmore motioned "to adjourn". John Ellis seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 9:10 P.M.

Submitted By:

Ginger Kauffman
Administrator

Reviewed By:

Samantha Tappenbeck
Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>8/8/2022</u>	<u>Pete Woll</u>	<u>Chair</u>
(Date)	(Signature)	(Title – Chair etc.)